

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH, WILDLIFE AND PARKS

Call to Order: By **CHAIRMAN GEORGE GOLIE**, on March 29, 2005 at 3:00 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. George Golie, Chairman (D)
Rep. Paul Clark, Vice Chairman (D)
Rep. Scott Sales, Vice Chairman (R)
Rep. John Balyeat (R)
Rep. Arlene Becker (D)
Rep. Dee L. Brown (R)
Rep. Jill Cohenour (D)
Rep. Robyn Driscoll (D)
Rep. George Everett (R)
Rep. Tom Facey (D)
Rep. Robin Hamilton (D)
Rep. Larry Jent (D)
Rep. Harry Klock (R)
Rep. Roger Koopman (R)
Rep. Mike Milburn (R)
Rep. Art Noonan (D)
Rep. Don Roberts (R)
Rep. John Ward (R)
Rep. Bill Warden (R)

Members Excused: Rep. George G. Groesbeck (D)

Members Absent: None.

Staff Present: Debra Polhemus, Committee Secretary
Doug Sternberg, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SJ 3, 3/17/2005
Executive Action: SB 186; SB 221; SB 223; SB 503
SB 312; SB 339; SB 410; SB 55
SB 305; HB 214

HEARING ON SJ 3

Opening Statement by Sponsor:

00:01:32 **SEN. JEFF MANGAN (D), SD 12**, opened the hearing on **SJ 3**, Urge governor to pursue seed capital investors.

Proponents' Testimony:

00:04:19 Karen Powell, Deputy Securities Commissioner, Montana State Auditor's Office
00:06:41 David Gibson, Associate Commissioner of Higher Education, former Economic Development Officer for Governor Judy Martz

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:10:46 **REP. BROWN**
00:13:40 **REP. ROBERTS**
00:16:17 **REP. WARDEN**

Closing by Sponsor:

00:17:33 **SEN. JEFF MANGAN (D), SD 12**, closed the hearing on **SJ 3**.

EXECUTIVE ACTION ON SB 76

00:21:54 **Motion:** **REP. WARDEN** moved that **SB 76 BE CONCURRED IN**.

00:22:11 **Substitute Motion:** **REP. BROWN** made a substitute motion that **SB 76 BE TABLED**. **CHAIRMAN GOLIE** refused to accept motion based on committee rules previously established.

Discussion:

00:22:43 REP. KOOPMAN
00:24:25 REP. CLARK
00:24:36 REP. BROWN
00:27:02 REP. CLARK
00:29:06 REP. NOONAN
00:30:41 CHAIRMAN GOLIE

00:31:34 Vote: Motion carried 11-9 by roll call vote with
REPS. BALLYEAT, BROWN, CLARK, EVERETT, JENT, KLOCK,
MILBURN, SALES, and WARD voting no and REP.
GROESBECK voting by proxy. REP. NOONAN will carry
SB 76.

EXECUTIVE ACTION ON SB 186

00:33:00 Motion: REP. SALES moved that SB 186 BE CONCURRED
IN.

00:33:18 Motion: REP. CLARK moved that SB 186 BE AMENDED.
[EXHIBIT](#)(fih66a01)

Discussion:

00:34:38 REP. CLARK
00:35:20 REP. FACEY
00:35:26 REP. SALES
00:36:20 REP. WARDEN

00:37:05 Vote: Motion carried 15-3 by voice vote with
REPS. EVERETT, KOOPMAN, and SALES voting no and
REP. GROESBECK voting by proxy.

00:37:39 Motion: REP. FACEY moved that SB 186 BE CONCURRED
IN AS AMENDED.

Discussion:

00:37:48 REP. BROWN
00:38:22 REP. WARD
00:38:38 REP. KOOPMAN
00:39:33 REP. NOONAN
00:40:46 Doug Sternburg, Legislative Services Division

00:41:35 Vote: Motion carried 15-5 by roll call vote with
REPS. BROWN, DRISCOLL, JENT, ROBERTS, and WARD
voting no and REP GROESBECK voting by proxy. REP.
CLARK will carry SB 186.

EXECUTIVE ACTION ON SB 221

00:43:44 **Motion:** REP. WARDEN moved that SB 221 BE
CONCURRED IN.

Discussion:

00:44:00 REP. BROWN
00:44:13 REP. WARDEN
00:45:31 REP. ROBERTS
00:46:04 REP. FACEY
00:47:05 Jim Kropp, Chief, Enforcement Division, Department
 of Fish, Wildlife & Parks
00:47:23 REP. MILBURN
00:47:44 REP. WARD
00:48:01 REP. KOOPMAN
00:49:26 REP. SALES
00:49:54 Doug Sternberg, Legislative Services Division
00:50:51 REP. SALES
00:51:34 REP. WARDEN
00:52:44 REP. FACEY
00:53:34 CHAIRMAN GOLIE

00:55:16 **Vote:** Motion carried 11-9 by roll call vote with
REPS. BALYEAT, BROWN, EVERETT, GOLIE, JENT,
KOOPMAN, ROBERTS, SALES, and WARD voting no and
REP. GROESBECK voting by proxy. REP. WARDEN will
carry SB 221.

EXECUTIVE ACTION ON SB 223

00:57:08 **Motion:** REP. DRISCOLL moved that SB 223 BE
CONCURRED IN.

Discussion:

00:57:31 REP. CLARK
00:58:38 REP. BROWN
00:59:22 CHAIRMAN GOLIE

00:59:48 **Vote:** Motion failed 2-18 by roll call vote with
REPS. BECKER and WARDEN voting aye and REP.
GROESBECK voting by proxy.

01:01:19 **Motion/Vote:** REP. COHENOUR moved that SB 223 BE
TABLED AND THE VOTE REVERSED. Motion carried by
voice vote.

EXECUTIVE ACTION ON SB 312

01:01:47 **Motion:** REP. ROBERTS moved that SB 312 BE
CONCURRED IN.

Discussion:

01:02:03 REP. JENT
01:03:03 REP. BROWN
01:03:27 REP. ROBERTS
01:03:53 REP. WARDEN
01:04:03 REP. CLARK
01:05:54 REP. MILBURN

01:07:22 **Vote:** Motion failed 1-19 by voice vote with REP.
WARD voting aye and REP. GROESBECK voting by
proxy.

01:07:48 **Motion/Vote:** REP. FACEY moved that SB 312 BE
TABLED AND THE VOTE REVERSED. Motion carried by
voice vote.

EXECUTIVE ACTION ON SB 339

01:08:23 **Motion:** REP. JENT moved that SB 339 BE CONCURRED
IN.

01:08:32 **Motion:** REP. JENT moved that SB 339 BE AMENDED.
[EXHIBIT\(fih66a02\)](#)

Discussion:

01:09:38 REP. JENT
01:10:24 REP. BECKER
01:11:33 Doug Sternberg, Legislative Services Division
01:14:01 REP. BROWN
01:18:18 CHAIRMAN GOLIE
01:18:40 REP. JENT

01:19:30 **Vote:** Motion carried unanimously by voice vote
with REP. GROESBECK voting by proxy.

01:19:53 **Motion:** REP. JENT moved that SB 339 BE CONCURRED
IN AS AMENDED.

Discussion:

01:20:32 REP. EVERETT
01:22:01 REP. WARDEN
01:22:52 Doug Sternberg, Legislative Services Division
01:24:27 REP. WARDEN

01:25:28 Vote: Motion carried 19-1 by voice vote with REP. BECKER voting no and REP. GROESBECK voting by proxy. REP. JENT will carry SB 339.

EXECUTIVE ACTION ON SB 410

01:26:29 Motion: REP. NOONAN moved that SB 410 BE CONCURRED IN.

Discussion:

01:27:08 REP. NOONAN

01:27:47 REP. BECKER

01:28:08 REP. BROWN

01:28:31 REP. BECKER

01:28:52 Larry Peterman, Montana Fish, Wildlife & Parks

01:30:01 Vote: Motion carried unanimously by voice vote with REP. GROESBECK voting by proxy. REP. GROESBECK will carry SB 410.

EXECUTIVE ACTION ON SB 503

01:30:51 Motion: REP. BROWN moved that SB 503 BE CONCURRED IN.

Discussion:

01:30:57 REP. NOONAN

01:31:28 REP. BROWN

01:32:51 REP. NOONAN

01:33:21 REP. WARD

01:34:31 REP. FACEY

01:35:17 REP. WARDEN

01:35:59 Motion: REP. WARDEN moved that SB 503 BE AMENDED.
[EXHIBIT](#)(fih66a03)

Discussion:

01:37:00 REP. WARDEN

01:37:36 REP. COHENOUR

01:40:01 REP. CLARK

01:41:31 Vote: Motion carried 18-2 by voice vote with REPS. BROWN and GOLIE voting no and REP. GROESBECK voting by proxy.

01:42:04 Motion: REP. WARD moved that SB 503 BE CONCURRED
IN AS AMENDED.

Discussion:

01:42:21 REP. CLARK
01:43:17 REP. BROWN
01:44:02 REP. KOOPMAN
01:46:15 REP. WARD
01:47:07 CHAIRMAN GOLIE

01:48:26 Vote: Motion carried 15-5 by roll call vote with
REPS. BECKER, CLARK, KOOPMAN, NOONAN, and WARDEN
voting no and REP. GROESBECK voting by proxy.

EXECUTIVE ACTION ON SB 55

01:50:40 Motion: REP. FACEY moved that SB 55 BE CONCURRED
IN.

01:50:51 Substitute Motion/Vote: REP. FACEY made a
substitute motion that SB 55 BE TABLED. Substitute
motion carried unanimously by voice vote with REP.
GROESBECK voting by proxy.

EXECUTIVE ACTION ON HB 305

01:51:45 Motion: REP. SALES moved that HB 305 DO PASS.

Discussion:

01:53:12 REP. COHENOUR
01:54:14 REP. BECKER
01:54:48 CHAIRMAN GOLIE

01:56:50 Vote: Motion carried 11-9 by roll call vote with
REPS. COHENOUR, DRISCOLL, FACEY, GOLIE, HAMILTON,
JENT, NOONAN, ROBERTS, and WARD voting no and REP.
GROESBECK voting by proxy.

EXECUTIVE ACTION ON HB 214

01:58:26 Motion: REP. SALES moved to RECONSIDER HB 214.

Discussion:

01:59:18 REP. CLARK

02:01:03 **Vote:** Motion carried 11-8 by roll call vote with
REPS. BECKER, CLARK, DRISCOLL, EVERETT, GOLIE,
JENT, NOONAN, and ROBERTS voting no. REP.
GROESBECK was not present to vote.

02:02:23 **Motion:** REP. SALES moved that HB 214 DO PASS.

02:02:47 **Motion:** REP. SALES moved that HB 214 BE AMENDED.
EXHIBIT(fih66a04)

Discussion:

02:03:27 Doug Sternberg, Legislative Services Division

02:06:39 **REP. CLARK**

02:07:33 **Vote:** Motion carried 19-1 by roll call vote with
REP. GOLIE voting no and REP. GROESBECK voting by
proxy.

02:08:34 **Motion:** REP. SALES moved that HB 214 DO PASS AS
AMENDED.

Discussion:

02:08:49 **REP. CLARK**

02:10:33 **REP. BROWN**

02:10:49 **REP. WARDEN**

02:11:37 Doug Sternberg, Legislative Services Division

02:12:23 **CHAIRMAN GOLIE**

02:12:53 **Vote:** Motion carried 12-8 by roll call vote with
REPS. BECKER, CLARK, EVERETT, GOLIE, GROESBECK,
JENT, NOONAN, and ROBERTS voting no and REP.
GROESBECK voting by proxy.

02:14:18

ADJOURNMENT

Adjournment: 6:00 P.M.

REP. GEORGE GOLIE, Chairman

DEBRA POLHEMUS, Secretary

GG/dp

Additional Exhibits:

EXHIBIT ([fih66aad0.PDF](#))